



FOR IMMEDIATE RELEASE  
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District of Arizona*

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## **MEDICAL ASSISTANT SENTENCED FOR FRAUDULENT PRESCRIPTIONS AND THEFT**

TUCSON – Tracy C. Florez, 42, of Tucson, was sentenced on August 6 to five years probation and ordered to pay \$36,933 in restitution, by United States District Judge Cindy K. Jorgenson in Tucson.

At the defendant's change of plea, Florez admitted to the following facts:

1. Defendant TRACY FLOREZ (hereafter "FLOREZ"), 40, was a resident of Tucson, Arizona, and was employed as a medical assistant for a Tucson gynecologist, from approximately July 1, 1998 to approximately March 31, 2005.
2. As part of her duties, defendant FLOREZ was authorized to pay bills of the medical practice with checks drawn upon the medical practice's bank accounts, using the doctor's signature stamp. Defendant was not authorized to use the funds of the medical practice to pay her personal debts. From July 9, 2003, until March 23, 2005, defendant FLOREZ fraudulently paid approximately 74 personal debts totaling approximately \$32,000, using the doctor's signature stamp on checks drawn on the medical practice.
3. FLOREZ was not authorized to use her position as medical assistant at the medical practice to prescribe any medications, including pain medications, nor to use prescription pads for the benefit of herself nor any other person, nor use the signature stamp for creating prescriptions, nor to call in prescriptions to pharmacies for herself or her family members.
4. From approximately May 4, 2004 until approximately April 5, 2005, defendant FLOREZ fraudulently created at least three prescriptions in her name for Vicoprofen, a Schedule III controlled substance, and transmitted these fraudulent prescriptions to pharmacies in the Tucson area.
5. From approximately February 4, 2003 until March 22, 2005, defendant FLOREZ fraudulently created at least 94 prescriptions in the name of her husband, David Florez, for Hydrocodone and Phentermine, Schedule III and IV controlled substances, and transmitted these fraudulent prescriptions to pharmacies in the Tucson area.

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6. On or about March 14, 2005, in Tucson FLOREZ knowingly and willfully executed, and attempted to execute, a scheme and artifice to defraud a health care benefit program in the connection with the delivery of and payment for health care benefits, items, and services, by forging and presenting to a Tucson pharmacy a prescription in the name of David Florez, Sr. for 120 units of Vicoprofen, 7.5 mg., a Schedule III controlled substance, which presented the purported signature of a physician in order to obtain insurance co-payment from ESI Scripts in the amount of \$90.41 for a Schedule II controlled substance.

7. The total losses to insurance companies due to health insurance payments for fraudulent prescriptions written by the defendant was approximately \$4,933.

8. That, on October 25, 2004 and March 22, 2005 in Tucson, defendant FLOREZ, did knowingly and intentionally possess 120 units of Vicoprofen 7.5 mg. and 120 units of 7.5 mg. Hydrocodone, respectively.

Florez had entered a pleas of guilty on April 16, 2006 to one count of health care fraud, in violation of Title 18, United States Code, Section 1347(2), and two counts of possession of a controlled substance, in violation of Title 21, United States Code, Section 844(a).

The investigation in this case was conducted by the Federal Bureau of Investigation and the Drug Enforcement Administration.

The prosecution was handled by the United States Attorney's Office for the District of Arizona, Tucson.

CASE NUMBER: CR-5-1798-TUC-CKJ

RELEASE NUMBER: 2007-178(Florez)

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